

# HOUSE BILL 197

P3

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By: **Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)**

Introduced and read first time: January 25, 2012

Assigned to: Judiciary

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Committee Report: Favorable

House action: Adopted

Read second time: February 21, 2012

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Department of Public Safety and Correctional Services – Representation on**  
3 **Boards, Commissions, and Councils**

4 FOR the purpose of altering the membership representing the Department of Public  
5 Safety and Correctional Services on the Correctional Training Commission, the  
6 Sexual Offender Advisory Board, and the State Alcohol and Drug Abuse  
7 Council; and generally relating to representation of the Department of Public  
8 Safety and Correctional Services on boards, commissions, and councils.

9 BY repealing and reenacting, without amendments,  
10 Article – Correctional Services  
11 Section 8–203  
12 Annotated Code of Maryland  
13 (2008 Replacement Volume and 2011 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Article – Correctional Services  
16 Section 8–204(a)  
17 Annotated Code of Maryland  
18 (2008 Replacement Volume and 2011 Supplement)

19 BY repealing and reenacting, without amendments,  
20 Article – Public Safety  
21 Section 1–401(a)

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**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Annotated Code of Maryland  
2 (2011 Replacement Volume)

3 BY repealing and reenacting, with amendments,  
4 Article – Public Safety  
5 Section 1–401(b)  
6 Annotated Code of Maryland  
7 (2011 Replacement Volume)

8 BY repealing and reenacting, without amendments,  
9 Article – State Government  
10 Section 9–2801  
11 Annotated Code of Maryland  
12 (2009 Replacement Volume and 2011 Supplement)

13 BY repealing and reenacting, with amendments,  
14 Article – State Government  
15 Section 9–2802(a)  
16 Annotated Code of Maryland  
17 (2009 Replacement Volume and 2011 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article – Correctional Services**

21 8–203.

22 There is a Correctional Training Commission in the Department.

23 8–204.

24 (a) The Commission consists of the following 14 members:

25 (1) the Secretary of Public Safety and Correctional Services;

26 (2) the Secretary of Juvenile Services;

27 (3) [the Director of the Division of Parole and Probation] A  
28 **REPRESENTATIVE OF THE DEPARTMENT OF PUBLIC SAFETY AND**  
29 **CORRECTIONAL SERVICES, DESIGNATED BY THE SECRETARY OF PUBLIC**  
30 **SAFETY AND CORRECTIONAL SERVICES;**

31 (4) [the Commissioner of Correction] A **DEPUTY SECRETARY OF**  
32 **PUBLIC SAFETY AND CORRECTIONAL SERVICES;**



1 (7) the Executive Director of the Mental Hygiene Administration of  
2 the Department of Health and Mental Hygiene, or the Executive Director's designee;

3 (8) the Secretary of State Police, or the Secretary's designee;

4 (9) the Executive Director of the Governor's Office of Crime Control  
5 and Prevention, or the Executive Director's designee;

6 (10) the following members, appointed by the Governor:

7 (i) a representative from a victims' advocacy organization or  
8 victim service provider with recognized expertise in sexual abuse and victimization;

9 (ii) a licensed mental health professional with recognized  
10 expertise in the treatment of sexual offenders;

11 (iii) a State's Attorney with expertise in the prosecution of sexual  
12 and child abuse crimes;

13 (iv) an assistant public defender with expertise in the defense of  
14 sexual and child abuse crimes;

15 (v) a representative of a local law enforcement unit with  
16 expertise in the investigation of sexual and child abuse crimes;

17 (vi) a representative from a child advocacy center with  
18 recognized expertise in sexual abuse and victimization; and

19 (vii) two citizen members.

## 20 Article – State Government

21 9–2801.

22 There is a State Drug and Alcohol Abuse Council in the Office of the Governor.

23 9–2802.

24 (a) (1) The Council consists of the following voting members:

25 (i) one member of the Senate of Maryland, appointed by the  
26 President of the Senate;

27 (ii) one member of the Maryland House of Delegates, appointed  
28 by the Speaker of the House;

- 1                   (iii) the Secretary of Health and Mental Hygiene, or the  
2 Secretary's designee;
- 3                   (iv) the Secretary of Public Safety and Correctional Services, or  
4 the Secretary's designee;
- 5                   (v) the Secretary of Juvenile Services, or the Secretary's  
6 designee;
- 7                   (vi) the Secretary of Human Resources, or the Secretary's  
8 designee;
- 9                   (vii) the Secretary of Budget and Management, or the Secretary's  
10 designee;
- 11                  (viii) the Secretary of Housing and Community Development, or  
12 the Secretary's designee;
- 13                  (ix) the Secretary of Transportation, or the Secretary's designee;
- 14                  (x) the State Superintendent of Schools, or the Superintendent's  
15 designee;
- 16                  (xi) the Executive Director of the Governor's Office for Children,  
17 or the Executive Director's designee;
- 18                  (xii) the Executive Director of the Governor's Office of Crime  
19 Control and Prevention, or the Executive Director's designee;
- 20                  (xiii) the Public Defender of Maryland, or the Public Defender's  
21 designee;
- 22                  (xiv) two representatives of the Maryland Judiciary, a District  
23 Court judge and a circuit court judge, appointed by the Governor after nomination of  
24 the Chief Judge of the Court of Appeals; and
- 25                  (xv) eight members appointed by the Governor who are  
26 representative to the extent practicable of:
- 27                    1. geographic regions of the State;
- 28                    2. at-risk populations;
- 29                    3. knowledgeable professionals;
- 30                    4. current or former consumers of substance abuse  
31 prevention, intervention, and treatment services;

- 1                                   5.     family members of substance abusers;  
 2                                   6.     prevention and treatment providers; and  
 3                                   7.     individuals who are active on substance abuse issues  
 4 in their communities.

5                   (2)     The Council consists of the following nonvoting members:

6                                   (i)     the Director of the Alcohol and Drug Abuse Administration  
 7 of the Department of Health and Mental Hygiene;

8                                   (ii)    the Director of Mental Hygiene of the Department of Health  
 9 and Mental Hygiene;

10                                  (iii)   [the Director of the Division of Parole and Probation] A  
 11 **REPRESENTATIVE** of the Department of Public Safety and Correctional Services,  
 12 **DESIGNATED BY THE SECRETARY OF PUBLIC SAFETY AND CORRECTIONAL**  
 13 **SERVICES;**

14                                  (iv)   [the Assistant] A **DEPUTY** Secretary [for Treatment  
 15 Services] of the Department of Public Safety and Correctional Services; and

16                                  (v)     the President of the Maryland Addiction Directors' Council.

17                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
 18 October 1, 2012.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.